IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 12484 of 2004

Between:

Smt.G.Venkateswaramma, w/o Viswanatha Reddy, r/o Chintalapeta Village, Dhone Mandal, Kurnool District.

..... PETITIONER

AND

1 The Joint Collector, Kurnool, Kurnool District.
2 The Revenue Divisional Officer, Kurnool, Kurnool District.
3 The Mandal Revenue Officer, Dhone Mandal, Dhone, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in rejecting the candidature of the petitioner without considering her experience and qualifications, by his proceedings Rc.No.B.492/2004 dated 14-6-2004, as illegal, arbitrary and against the principles of natural justice

Counsel for the Petitioner: MR.K.V.RAGHU VEER

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:

The petitioner who was appointed as a Fair Price Shop Dealer of Chintalapet village on temporary basis by order dated 16.10.2002, filed this writ petition challenging the proceedings of the Revenue Divisional Officer, Kurnool, dated 24.06.2004, whereunder one Smt.P.Vijaya Lalithamma has been appointed as a Fair Price Shop Dealer following due process of selection.

2. Admittedly, the petitioner has already preferred an appeal against the impugned order of appointment dated 24.06.2004 along with a petition for stay and the same is pending before the first respondent. Now, alleging that the first respondent failed to pass any orders on the application for stay, this writ petition has been filed challenging the very same proceedings dated 24.06.2004. Strangely, the candidate who has been selected and appointed has not been made a party to the writ petition.

3. In the circumstances, particularly keeping in view the fact that the petitioner has already availed the alternative remedy of appeal and the same is pending before the 1st respondent, the petitioner cannot be granted any relief in this writ petition. Accordingly, the writ petition is dismissed. The appeal pending on the file of the first respondent may be disposed of expeditiously in accordance with law. No costs.

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20.07.2004

VGB

To

1 The Joint Collector, Kurnool, Kurnool District.
2 The Revenue Divisional Officer, Kurnool, Kurnool District.
3 The Mandal Revenue Officer, Dhone Mandal, Dhone,
Kurnool District.

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